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14 Attorneys for Defendants
WELLS FARGO BANK, N.A.; WELLS FARGO &
COMPANY

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION
17

18 MONTE RUSSELL and DANIEL
19 FRIEDMAN, on behalf of themselves
and others similarly situated,

20 Plaintiff,

21 vs.

22 WELLS FARGO AND COMPANY
23 and WELLS FARGO BANK, N.A.,

24 Defendants.
25

CASE NO. C 07-03993 CW

JUDGE CLAUDIA WILKEN
COURTROOM 2

**STIPULATION RE
WITHDRAWAL OF CONSENT OF
SUSANNE MAGILL TO BECOME
A PARTY PLAINTIFF;
~~PROPOSED~~ ORDER
APPROVING WITHDRAWAL**

26 Plaintiffs Monte Russell and Daniel Friedman (“Plaintiffs”) and Defendants
27 Wells Fargo Bank, N.A., and Wells Fargo & Company (“Defendants”), through
28 their respective counsel, hereby stipulate as follows:

1 WHEREAS, Susanne Magill, a putative collective action member, received
2 notice of this action pursuant to this Court's order dated September 3, 2008, and
3 signed a document entitled Consent to Join the FLSA Collective Action ("Consent
4 Form") on October 5, 2008, thereby giving her consent to become a party plaintiff
5 in this action;

6
7 WHEREAS, on October 17, 2008, Plaintiff filed a Notice of Filing Consent
8 to Become a Party Plaintiff, which included Ms. Magill's Consent Form ("Notice")
9 (ECF No. 66);

10
11 WHEREAS, Susanne Magill wishes to withdraw her Consent Form; and

12
13 WHEREAS, Defendants agree to the withdrawal of Ms. Magill's Consent
14 Form;

15
16 NOW, THEREFORE, through their respective counsel, THE PARTIES
17 HEREBY STIPULATE AS FOLLOWS:

18
19 1. Susanne Magill's Consent to Join the FLSA Collective Action is
20 hereby withdrawn;

21
22 2. Ms. Magill is no longer a party plaintiff to this action;

1 3. Ms. Magill's rights shall be determined as though she never signed the
2 Consent Form.

3
4 DATED: December 9th, 2008 LARSON KING, LLP
5 T. JOSEPH SNODGRASS
6 KELLY A. SWANSON

7 By: T. Joseph Snodgrass
8 T. JOSEPH SNODGRASS
9 Attorneys for Plaintiffs
10 MONTE RUSSELL AND DANIEL FRIEDMAN

11 DATED: December 9, 2008 HODEL BRIGGS WINTER LLP
12 GLENN L. BRIGGS
13 THERESA A. KADING

14 By: Theresa A. Kading
15 THERESA A. KADING
16 Attorneys for Defendants
17 WELLS FARGO BANK, N.A.; WELLS FARGO
18 & COMPANY
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that:

1. Susanne Magill's Consent to Join the FLSA Collective Action is hereby withdrawn;
2. Ms. Magill is no longer a party plaintiff to this action;
3. Ms. Magill's rights shall be determined as though she never signed the Consent Form.

12/12
Dated: _____, 2008__



CLAUDIA WILKEN
DISTRICT COURT JUDGE

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss:
COUNTY OF ORANGE)

I am employed in the County of Orange, State of California. I am over the age of 18, and not a party to the within action. My business address is Hodel Briggs Winter LLP, 8105 Irvine Center Drive, Suite 1400, Irvine, CA 92618. On this date I served the following documents:

**STIPULATION RE WITHDRAWAL OF CONSENT OF SUSANNE
MAGILL TO BECOME A PARTY PLAINTIFF; [PROPOSED] ORDER
APPROVING WITHDRAWAL**

on the parties shown below:

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BY ELECTRONIC MAIL WHERE INDICATED:

Pursuant to C.R.C. 2060, I served the foregoing document described by emailing to it each of the aforementioned electronic mail addresses and the transmission was reported as complete and without error.



I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 9, 2008, at Irvine, California.

/s/Valerie Beechler

Valerie Beechler